

Kansas Register

Ron Thornburgh, Secretary of State

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November 7, 1996

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Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of November 11 through November 24. For individual agendas available on the Internet, see: http://www.kumc.edu/kansas/ksleg/KLRD/klrd,html.

Date	Room	Time	Committee	Agenda
November 12	527-S	9:00 a.m.	Task Force on Endangered Species	Agenda not available.
November 12 November 13	123-S 123-S	1:30 p.m. 9:00 a.m.	Legislative Budget Committee	State general fund consensus revenue estimates; new state general fund profiles; report on Kansas personal income and disposable personal income; single appropriation bill and biennial budgeting; status report from Secretary of Corrections; hearing on benefits and overtime pay for certain state employees re 1996 SB 492 (vetoed); committee review and discussion on state employee pay issues; committee discussion and possible recommendations on all committee interim topics.
November 12 November 13	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on School Finance	Staff presentations. Committee discussion.
November 12	519-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda not available.

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November 13 November 14	526-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Transportation	13th: Topic No. 5— Comprehensive Highway Program. 14th: Topic No. 2—Essential Air Services Program; Topic No. 8—Agricultural Ethanol Incentive Program; other
November 14	514-S	10:00 a.m.	Legislative Post Audit Committee	matters. Legislative matters.
November 14 November 15	313-S 313-S	8:00 a.m. 8:00 a.m.	Task Force on Retail Wheeling	Agenda not available.
November 14	519-S	10:00 a.m.	Special Committee on	14th: Committee discussion and final action on all property and
November 15	519-S	9:00 a.m.	Property Tax	inheritance tax issues. 15th: Post audit regarding Department of Revenue sales tax enforcement and collection; discussion of committee report.
November 18 November 19	514-S 514-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	Agenda not available.
November 18	519-S	10:00 a.m.	Task Force on Gas Gathering	Hearings on tax issues; discussion of charges to the task force.
November 18 November 19	531-N 531-N	10:00 a.m. 9:00 a.m.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.
November 19 November 20	527-S 527-S	10:00 a.m. 9:00 a.m.	Joint Committee on Children and Families	Decisions on committee recommendations.
November 20 November 21	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Judiciary	Hearings and committee discussion.
November 20 November 21 November 22	526-S 526-S 526-S	10:00 a.m. 9:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
November 21 November 22	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Economic Development	21st: Presentations on privatization initiatives in Kansas state government. 22nd: a.m.—Various reports, including an overview of Post Audit Report, Reviewing the Compensation of Executives of the State's Economic Development
				Agencies. p.m.—Committee discussion and directions to staff regarding the committee's report to the 1997 Legislature.
November 21 November 22	531-N 531-N	10:00 a.m. 9:00 a.m.	Joint Committee on Computers and Telecommunications	Review of agency budget requests for IT projects and other matters previously considered.
				Emil Lutz Director of Legislative Administrative Services

Grain Inspection Department

Notice of Meeting

The Kansas State Grain Inspection Department will conduct its quarterly Grain Advisory Commission meeting at 9:30 a.m. Friday, November 15, at the Salina Inn, I-70 and Highway 81, Salina.

> Gary M. Bothwell Director

Doc. No. 018341

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, November 21, in the offices of Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$140,000,000 principal amount Health Facilities Revenue Bonds for Saint Luke's/Shawnee Mission Health System, Inc. (the corporation). The bonds will be issued, pursuant to K.S.A. 74-8901 et seq., to assist the corporation in providing funds to finance, refinance and reimburse the costs of constructing, rehabilitating and equipping health care facilities at the following locations: The new Saint Luke's/ Shawnee Mission, Johnson County Medical Campus consisting of a 76-bed community hospital and related health care facilities located at 123rd and Metcalf, Overland Park, Johnson County, Kansas, and the Shawnee Mission Medical Center consisting of a 383-bed acute care hospital and related health care facilities located at 9100 W. 74th, Merriam, Johnson County, Kansas.

The bonds, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bonds will be payable solely and only from amounts received from the corporation, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds as and when it shall become due.

All individuals at the hearing will be given an opportunity to express their views for or against the proposal to issue any specific bonds for the purpose of financing the project, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

Wm. F. Caton

Doc. No. 018355

President

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1995 Supp. 75-4210, as amended by 1996 Senate Bill No. 476. These rates and their uses are defined in K.S.A. 1995 Supp. 12-1675(b)(c)(d), and K.S.A. 1995 Supp. 75-4201(I) and 75-4209(a)(1)(B), as amended by 1996 Senate Bill 476.

Effective	11-11-96 tl	hrough 1	1-17-96	,那一个孩子的	
Term		1. 1920. 1	···Rate:		
0-90 days	The state of the s				
3 months	es Singles	1 200	5.37%		
6 months			5.39%		
9 months			5.51%		2
12 months		St. Page 1	5.57%	Silver State of	
18 months	ereland a				
24 months			5.78%		1
36 months		380 65	5.94%		
48 months			6.05%	av sidding	ri,
3 months 6 months 9 months 12 months 18 months 24 months 36 months			5,37% 5.39% 5.51% 5.57% 5.69% 5.78% 5.94%		

William E. Lewis Chairman

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Doc. No. 018343

State of Kansas

Real Estate Appraisal Board

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, January 31, in the second floor conference room of the Columbian Title Building, 820 S. Quincy, Topeka, to consider the adoption of amendments to regulations 117-2-2, 117-3-2 and 117-4-2. The proposed regulation amendments are for adoption on a permanent basis.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, Columbian Title Building, 820 S. Quincy, Suite 314, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

The regulations are being amended to make the language easier to follow and understand by the public and to be more specific in reference to procedures and policies that have already been adopted by the board. There would be no additional costs to appraisers, the public or state agencies as a result of the amendments.

Copies of the regulations and their economic impact statement may be obtained from the Kansas Real Estate Appraisal Board, (913) 296-0706.

> Michael K. Haynes Director

Doc. No. 018335

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Department of Administration **Division of Purchases**

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, November 18, 1996

31973 Supp.

University of Kansas Medical Center-Floor care products

32132

Department of Health and Environment—Chronic whole effluent toxicity (wet) testing

Department of Wildlife and Parks—Caps and t-shirts, various locations

Kansas School for the Deaf—Dental services

Kansas School for the Deaf-Occupational therapy services

05039

Kansas Bureau of Investigation—Gas chromatograph system

Tuesday, November 19, 1996 A-7898(a)

Lansing Correctional Facility—Renovation, saw cut concrete walls, TC unit

Board of Emergency Medical Services—Needs assessment analysis (Highway Patrol)

Department of Corrections—Automated parole reporting services

32135

Kansas Highway Patrol-BDU components 05033

Department of Corrections—Riot/crowd control chemicals and munitions, various locations 05034

Kansas State University—Hi-Pro soybean meal 05049

-High-resolution inverted University of Kansasresearch microscope

05050

University of Kansas—Steady state spectrofluorometer

Wednesday, November 20, 1996

32131

University of Kansas—Beverages, canned ទូវនី 🗟 **32136**

Kansas State University—December (1996) meat products

05031

Department of Transportation—Core drilling machine

Department of Wildlife and Parks—Electrofishing

05035

Fort Hays State University—Telecommunications management system

05037

University of Kansas—HDSL modem

Thursday, November 21, 1996

32128

Wichita State University—Variable frequency drives 32130

Kansas State University—Frozen foods 32134

Statewide—Cereals (cold)

Friday, November 22, 1996

32129

Statewide—Dairy products

05051

Department of Wildlife and Parks—50-ton lowboy trailer, Reading

Monday, November 25, 1996

32140

-Aircraft inspection University of Kansas-32142

Department of Administration, Central Motor Pool-Daily automobile rental

> Tuesday, November 26, 1996 A-7950 Rev.

Adjutant General's Department—Reroof National Guard Armory, Hutchinson

Tuesday, December 3, 1996

A-7663 Rev.

University of Kansas—East wing renovation, 2nd floor, Strong Hall

Department of Social and Rehabilitation Services-Individual physician's professional liability insurance for hospitals administered by SRS

Wednesday, December 4, 1996

A-7860

Kansas State Fair—Grandstand alterations

Thursday, December 5, 1996

A-7913

Youth Center at Topeka—Electric lock conversion, Phase I, various cottage units

Request for Proposals

Thursday, November 21, 1996

AS400 to LAN conversion for the Kansas Bureau of Investigation

Tuesday, December 3, 1996

CPA testing service for the State Board of Accountancy

John T. Houlihan Director of Purchases

Secretary of State

Usury Rate for November

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of November 1, 1996 through November 30, 1996, is 9.44 percent.

Ron Thornburgh Secretary of State

Doc. No. 018344

State of Kansas

Kansas Commission on Governmental Standards and Conduct

Advisory Opinion No. 96-27

Written September 10, 1996, to the Honorable Bill Graves, Governor of Kansas, Topeka.

This opinion is in response to your letter of August 1, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the Kansas Campaign Finance Act (K.S.A. 25-4142 et seq.).

Factual Statement

We understand you request this opinion in your capacity as Governor for the State of Kansas. You advise us that in light of Commission Opinion No. 96-14, which prohibited the use of campaign funds to attend a national party convention, the question arises as to whether the costs for receptions at Kansas Day and Washington Day could be paid for with campaign funds.

Question

Is it a permissible use of campaign funds to pay for food, drink and other expenses related to hosting a reception at events such as Kansas Day and Washington Day?

Opinion

K.S.A. 25-4157a(a) states:

No moneys received by any candidate or candidate committee of any candidate as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or the candidate committee of such candidate except for legitimate campaign purposes, for expenses of holding political office or for contributions to the party committees of the political party of which such candidate is a member.

For the purpose of this section, expenditures for "personal use" shall include expenditures to defray normal living expenses for the candidate or the candidate's family and expenditures for the personal benefit of the candidate having no direct connection with or effect upon the campaign of the candidate or the holding of public office.

To be a permissible use of campaign funds, an expenditure must be for a legitimate campaign purpose, an expense of holding political office or a contribution to a party committee. In order to be a "legitimate campaign purpose or an expense of holding political office," the

expenditure must have a "direct connection with or effect upon the campaign of the candidate or the holding of public office." All other expenditures are for the personal use of the candidate or officeholder and are prohibited.

In KCGSC Opinion No. 96-14, the commission opined that the costs of attending a national party convention by state officeholders or candidates for state office did not have a "direct connection with or effect upon the campaign of the candidate or the holding of public office." Therefore, campaign funds could not be used to pay for

those expenses.

If the primary purpose of hosting a reception at Kansas Day and Washington Day is for candidates and office-holders to meet with party officials, constituents and voters from the State of Kansas, then these receptions would have a "direct connection with or effect upon the campaign of the candidate or the holding of public office." Thus, the costs of these receptions would be for "legitimate campaign purposes or expenses of holding political office" and could be paid with campaign funds.

Advisory Opinion No. 96-28

Written September 10, 1996, to the Honorable Sandy Praeger, Kansas State Senator, 2nd District, Lawrence.

This opinion is in response to your letter of July 22, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 et seq., and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as a Kansas state senator. You have been asked to serve as a member of the executive committee to the Forum for State Health Policy Leadership. The forum is funded by two national foundations, and is designed to enhance the capacity for state legislators to make decisions concerning the delivery of health care services to low income populations. The executive committee will convene twice a year, usually in conjunction with some other activity of the forum.

As a member of the executive committee, you will be part of panel discussions concerning managed care as a health care delivery system. You will also provide advice on which methods or approaches are most productive in communicating with and educating state legislators. There may be other assignments or research requested by the forum. For your work as an executive committee member, the forum is offering a \$300 honorarium for each of the two meetings you attend, in addition to paying all travel and ledging expenses.

Subsequent to receipt of your letter, we have received your request for a waiver of the \$100 preparation and presentation fee set out in KCGSCOpinion No. 91-21.

I/W 3

Question

Is it permissible for you to accept the \$300 honorarium for serving on the executive contrittee to the Forum for State Health Policy Leadership? 19 514

Opinion

K.S.A. 46-237(f) applies to your situation. That subsection states:

No state officer or employee shall accept any payment of honoraria for any speaking engagement except that a member of the state legislature or a part-time officer or employee of the executive branch of government shall be allowed to receive reimbursement in the preparation for and the making of a presentation at a speaking engagement in an amount fixed by the Kansas commission on governmental standards and conduct prior to the acceptance of the speaking engagement. Nothing in this section shall be construed to prohibit the reimbursement of state officers and employees for reasonable expenses incurred in attending seminars, conferences and other speaking engagements.

In KCGSC Opinion No. 91-21, the commission opined that the amount of honorarium that could be paid to a legislator for the preparation and presentation of materials at a speaking engagement would depend on the following factors: amount of preparation, complexity of issues, qualifications of the presenter and the extent of the presenter's participation in the event. The commission stated that it would "... presume a maximum of \$50 for preparation and a maximum of \$50 for presentation. ..." Anyone seeking an additional amount "... will have to request a waiver."

The commission believes that due to your expertise in the health care field, the complexity of health care issues and the amount of time required in preparing for and participating in the panel discussions, the forum may pay you the \$300 honorarium for each meeting.

In closing, the commission notes that since you are providing a bona fide speaking service at these meetings, the forum could pay for all of your reasonable travel and lodging expenses.

Advisory Opinion No. 96-29

Written September 10, 1996, to William E. Lewis, Chairman, Pooled Money Investment Board, Topeka.

This opinion is in response to your letter of August 29, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 et seq., and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as chairman for the Pooled Money Investment Board (PMIB). You advise us that in addition to chairing the PMIB, you are also employed as a faculty member by the University of Kansas. In order to perform your duties as chair adequately, the PMIB determined that you needed regular secretarial support services.

On August 14, 1996, the PMIB voted unanimously to authorize a contract with the University of Kansas School of Business for secretarial services, provided the dean of the school wrote a letter of request. You contacted the dean, who then wrote the letter of request. After receiving the letter, you contacted the Department of Administration's Legal Division to draft the contract.

After receiving the contract, you were made aware by the Department of Administration that this situation could potentially be in contravention of the conflict of interest laws. Therefore, you have waited to execute the contract until receiving further guidance.

Ouestion

Does your interaction and participation in the making of the contract between the PMIB and the University of Kansas School of Business preclude the execution of this contract by yourself or another member of the PMIB?

Opinion

K.S.A. 46-233(a) applies to your question. That section in pertinent part states:

No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee or any member of such officer's or employee's immediate family has a substantial interest.

The commission first notes that both "person" and "business" are defined to include "governmental agency unit" (see K.S.A. 46-223 and K.S.A. 46-230). Therefore, this section would prohibit you from participating in the making of any contracts between the PMIB and the university. Thus, since you participated in the making of the contract between the PMIB and the university, it would be a violation of the state level conflict of interest laws if you, or anyone else on the PMIB, executed the contract.

In closing, we point out that nothing in the state level conflict of interest laws would prohibit you or the PMIB from contracting with a secretary directly, in his/her capacity as a private citizen, rather than contracting for his/her services through the university.

Advisory Opinion No. 96-30

Written September 10, 1996, to Marilyn Sommers, Secretary II, Kansas Commission on Veterans Affairs, Topeka.

This opinion is in response to your letter of August 29, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction concerning your question is limited to the application of K.S.A. 46-215 et seq., and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as a secretary employed by the Kansas Commission on Veterans Affairs. You have been asked to serve as a secretary for the Kansas Veterans Foundation, Inc., a non-profit corporation, during off-duty hours with the state. The foundation's articles of incorporation, which you included with your opinion request, state that the purpose of the foundation is to educate the public and (continued)

Vietnam veterans about the unique problems and experiences facing these veterans. The corporation would also provide needed services and assistance to the veterans.

Question

Is it a violation of the state level conflict of interest laws for a secretary of the Kansas Commission on Veterans Affairs to serve as a secretary for the Kansas Veterans Foundation, Inc.?

Opinion

We have reviewed the state level conflict of interest laws in their entirety, and two sections may apply to your question. K.S.A. 46-233(a) in pertinent part states:

No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee or any member of such officer's or employee's immediate family has a substantial interest.

K.S.A. 46-286(a) states:

No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.

In applying these sections to your question, so long as in your capacity as a state employee you do not participate in the making of contracts between your agency and the foundation (K.S.A. 46-233), and you do not license, inspect or regulate the foundation (K.S.A. 46-286), the situation you describe would not be a violation of the state level conflict of interest laws.

Advisory Opinion No. 96-31

Written October 17, 1996, to H. Allan Caldwell, Assistant General Counsel, Koch Industries, Inc., Wichita.

This opinion is in response to your letter of October 7, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 et seq., and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as assistant general counsel for Koch Industries, Inc. (Koch). You advise us that a member of the Koch Board of Directors has been requested to serve on the newly created Kansas Performance Review Board (Board). This board may make recommendations regarding state agencies which may presently, or in the future, purchase Koch supplies. The board may also recommend the privatization of state activities that could affect current purchasers of Koch supplies.

Question

Would the involvement of the Koch executive on the Performance Review Board restrict Koch's ability to provide services to current or future state or privatized purchasers of Koch supplies?

Opinion

The commission has reviewed the state level conflict of interest laws in their entirety, and two sections may apply to your questions. K.S.A. 46-233 in pertinent part states:

(a) No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee or any member of such officer's or employee's immediate family has a substantial interest.

K.S.A. 46-286(a) states:

No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.

We first note that the executive would be a "state officer or employee" as defined by K.S.A. 46-221, and would hold a "substantial interest" as defined by K.S.A. 46-229 in Koch by virtue of serving on its board of directors, owning \$5,000 or 5 percent of the company or receiving compensation in excess of \$2,000 in the preceding calendar year.

In applying these sections to your situation, the laws prohibit the executive from participating in the making of any contracts on behalf of the board with Koch (K.S.A. 46-233), and from licensing, inspecting or regulating Koch (K.S.A. 46-286). They do not prohibit the executive from making decisions, as a member of the board, concerning state or privatized purchasers from Koch Industries, Inc.

In closing, K.S.A. 46-241 would prohibit the executive from using any confidential information acquired in the course of employment with the board to further his own economic interests, or those of any other person, which would include Koch Industries, Inc.

Advisory Opinion No. 96-32

Written October 17, 1996, to Andrew Weinraub, State & Federal Communications, Akron, Ohio.

This opinion is in response to your letter of September 24, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the lobbying provisions of the state level conflict of interest laws (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction concerning your question is limited to the application of K.S.A. 46-215 et seq., and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as research analyst for State & Federal Communications. You advise us that a client of your company wants to provide legislative information on-line. The content of this on-line site would be the promotion or opposition of legislation relevant to the client's interests. Your client is also considering sending the address of this

site to state legislators and other state government officials.

Questions

Based on this factual situation, you ask us the following questions:

1. Is providing legislative information on-line, by itself,

considered lobbying?

2. Is providing the address of the on-line information considered lobbying?

Opinion

K.S.A. 46-225 may apply to your questions. K.S.A. 46-225(a) in pertinent part states:

"Lobbying" means: (1) Promoting or opposing in any manner action or nonaction by the legislature on any legislative matter or the adoption or nonadoption of any rule and regulation by any state agency.

K.A.R. 19-61-1 may also apply to your questions. That regulation in pertinent part states:

(a)(1) Any communication which is intended to advocate action or nonaction by the legislature on a legislative matter, including communications with other persons with the intent that such persons communicate with legislators in regard thereto, constitutes lobbying.

(b) Exceptions. The communication of factual material which is not intended to promote or oppose action or non-action on a legislative matter and which is not accompanied by active advocacy does not constitute lobbying.

In applying these provisions to your first question, since the on-line information will promote or oppose "action or nonaction by the legislature on any legislative matter," the providing of this information would constitute "lobbying."

Turning to your second question, the issue becomes the intent of your client in providing the address for the online information. It could be argued that the address "is factual material which is not intended to promote or oppose action or nonaction on a legislative matter." Therefore, so long as your client sent only the address and did not include any statements or materials which would "advocate action or nonaction by the legislature on a legislative matter," the exception in 19-61-1(b) would apply and this activity would not constitute "lobbying."

In closing, we note that although providing the on-line information would constitute lobbying, based solely on this activity your client would not be required to register as a lobbyist unless an individual was employed or appointed to lobby, or expenditures were made in any aggregate amount of \$100 or more in any calendar year to provide the on-line information (see K.S.A. 46-222 and K.S.A. 46-265).

Advisory Opinion No. 96-33

Written October 17, 1996, to M. Michael Gill, Hillix, Brewer, Hoffhaus, Whittaker & Wright, L.L.C., Kansas City, Missouri

This opinion is in response to your letter of October 15, 1996, in which you request an opinion from the Kansas

Commission on Governmental Standards and Conduct concerning the local level conflict of interest laws (K.S.A. 75-4301a et seq.). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 75-4301a et seq., and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

We understand you request this opinion in your capacity as a potential candidate for Leawood city council. You advise us that you are a member of a law firm established as a limited liability company. Your ownership interest in the company is less than 5 percent. At the end of each calendar year, the "net income" of the firm is determined by reducing total firm revenues by total firm expenses, except that no reduction is made for members' compensation. The "net income" is then allocated to the members in two steps: (1) a predefined sum (calculated as a percentage of total firm revenue); and (2) the remaining "net income" is then distributed in accordance with the members' ownership percentages.

You further advise us that candidates for city council are required to file a Statement of Substantial Interests. You are concerned about the section of the form requiring the disclosure of clients and customers who pay your firm fees or commissions in the amount of \$2,000 or more.

Ouestion

Based on the foregoing facts, you ask which clients of your firm must be disclosed on your Statement of Substantial Interests?

Opinion

K.S.A. 75-4301a(a)(5) applies to your question. That subsection states:

If an individual or an individual's spouse receives compensation which is a portion or percentage of each separate fee or commission paid to a business or combination of businesses, the individual has a substantial interest in any client or customer who pays fees or commissions to the business or combination of businesses from which fees or commissions the individual or the individual's spouse, either individually or collectively, received an aggregate of \$2,000 or more in the preceding calendar year.

As used in this subsection, "client or customer" means a business or combination of businesses.

Applying this language to your situation, you would hold a "substantial interest" in any client who paid fees to your firm in an amount such that your ownership percentage equals \$2,000 or more. Therefore, you would list all businesses or combination of businesses that paid your firm fees from which your ownership percentage equaled \$2,000 or more in the preceding calendar year.

In closing, we note your concern about the disclosure of client identities on this form. Although this issue is beyond the commission's jurisdiction, we have enclosed Attorney General Opinion No. 79-290 which addresses that particular issue.

Diane Gaede Chair

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment will conduct a public hearing at 10 a.m. Thursday, January 9, at the Topeka-Shawnee County Public Library auditorium, 1515 S.W. 10th, Topeka, to consider proposed amendments to permanent regulations K.A.R. 28-39-144 through 28-39-163 and proposed new permanent regulations K.A.R. 28-39-240 through 28-39-256, concerning adult care homes.

The department is proposing to amend regulations for nursing facilities that clarify and correct regulations originally adopted in 1993, which govern definitions, licensing procedure and resident rights for all adult care homes. The new permanent regulations for assisted living/residential health care facilities reflect changes made to the Adult Care Home Act by Senate Bill 8 during the 1995 legislative session. The economic impact will be negligible to all facilities impacted by these proposed regulations.

A complete copy of the proposed rules and regulations and a complete economic impact statement may be obtained by contacting Patricia A. Maben, Director, Adult Care Home Program, Bureau of Adult and Child Care, Kansas Department of Health and Environment, Suite 1001, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1290, (913) 296-1240.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit comments prior to the hearing to the address above. All interested parties also will be given a reasonable opportunity at the hearing to present their views orally or in writing concerning the adoption of the proposed rules and regulations. Following the hearing, all written and oral comments submitted will be considered by the secretary prior to adoption.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and fiscal impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Patricia Maben at (913) 296-1240.

James J. O'Connell Secretary of Health and Environment

Doc. No. 018347

State of Kansas

Department of Health and Environment

Notice Concerning Variance Request from Hazardous Waste Regulations

The Kansas Department of Health and Environment is providing public notice that on September 25, 1996, Parsons Precision Products, Inc., 3333 Main, Parsons, submitted a request for a variance renewal from specific hazardous waste regulations. The request for a variance was submitted in accordance with K.A.R. 28-31-13(a).

The variance renewal is requested from K.A.R. 28-31-4 and 40 CFR 265.176, which require the storage of containers holding ignitable hazardous waste must be located at least 15 meters (50 feet) from the facility's property line.

Parsons Precision Products generates ignitable hazardous waste, which is stored prior to being shipped off-site for reclamation. Parsons Precision Products proposes to store this waste in a diked concrete containment area used to hold packaged hazardous waste pending pick-up by hazardous waste transporters. KDHE has reviewed the variance request and concluded that the variance is justified.

In accordance with K.A.R. 28-31-13(b), public notice is being provided of this decision. Copies of the variance request will be available for public review until December 7 from 8 a.m. to 4:30 p.m. weekdays at the KDHE, Building 740, Forbes Field, Topeka, and at the KDHE district office, 1500 W. 7th, Chanute.

Comments concerning this variance request may be directed to Candy Williamson, Hazardous Waste Section, KDHE, Topeka, 66620. Comments must be submitted in writing prior to December 7. Requests for additional information may be made by contacting KDHE at (913) 296-1600.

Upon the written request of any interested person, a public meeting may be conducted to consider comments on this tentative decision. The person requesting a meeting shall state the issues to be raised and shall explain why written comments would not suffice to communicate the person's views. If a decision is made to conduct a public meeting, a separate public notice detailing the date and place of a public meeting will be issued.

After evaluating all public comments, a final decision shall be made by the secretary and a notice of the final decision shall be published in the Kansas Register. If approved, any conditions or time limitations needed to comply with all applicable state or federal laws or to protect human health or safety or the environment shall be specified by the secretary. A date upon which the variance will no longer be valid shall be prescribed in the final decision.

orloe to

James J. O'Connell Secretary of Health and Environment

(Published in the Kansas Register November 7, 1996.)

City of Fort Scott, Kansas Request for Proposals

The City of Fort Scott is requesting proposals from consultants and engineering firms to provide assistance in completing a Frontier Military Scenic Byway Corridor Management Plan and Tourism Asset Management Plan and Tourism Asset Inventory. The City of Fort Scott has been awarded a grant by the U.S. Federal Highway Administration to carry out a Frontier Military Scenic Byway project. The project is intended to promote economic development and preservation efforts along the designated route.

To receive a comprehensive description of activities to be completed under this program and for information outlining the full scope of services to be provided, as well as the selection process for consultant services, contact Don Russell at (316) 223-0550. All proposals for services must be submitted to: City Clerk, 1 E. 3rd, Fort Scott, 66701. The deadline for submitting proposals is 5 p.m. November 25. The evaluation of proposals will be completed on or about November 29, with an award date within 30 days after November 29.

Project completion is to occur within 12 months of contract award. Proposals submitted must be clearly marked "Scenic Byway Project" in the left lower corner of the envelope. All others will be rejected. Five identical copies of the proposal must be submitted.

The City of Fort Scott reserves the right to reject any and all proposals and to waive any informalities in the selection process.

M. Don Russell Economic Development Director

Doc. No. 018349

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Pre-Construction Evaluation Services

Notice is hereby given of the commencement of negotiations for pre-construction evaluation services for the University of Kansas Medical Center to assist in the design of a new nurses education facility. It is the intent of this contract to utilize the skills, experience and talents of a construction management firm, serving as a member of the design team and assisting other design professionals, under separate contract to University of Kansas Medical Center, to develop the construction documents necessary to provide a nursing education facility within the budgeted resources available. Construction administration services are not required.

The construction management firm, as a member of the Project Design Team, will provide services which include, but are not limited to: site assessment, value engineering, cost estimating verification, design review, constructability evaluation and schedule verification. Fees shall be negotiated according to K.S.A. 75-1265 and shall not exceed 1 percent of the estimated cost of the project. Construction

budget is \$11,300,000. Questions regarding the scope of work should be directed to Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367.

If interested, an original and six copies of qualifications and expressions of interest should be submitted. These submittals should be concise and relevant to the project.

Expressions of interest and submittals should be received by Gary Grimes by 5 p.m. November 22.

Thaine Hoffman, AIA Director, Division of Architectural Services

Doc. No. 018352

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

Public Notice No. KS-AG-96-759/766

Name and Address	Legal	Receiving
of Applicant	Description	Water
David R. Schrader	SE/4, Sec. 3, T19S,	Marais des
Schrader Swine Farms #2	R14E, Coffey	Cygnes River
Route 2, Box 91	County	Basin
Lebo, KS 66856		

Kansas Permit No. A-MCCF-S004

This is an existing facility for 950 head (380 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Tauy Creek Holsteins	SW/4, Sec. 15,	Marais des
Kenneth Hubbard	T15S, R19E,	Cygnes River
42 E. 1100 Road	Douglas County	Basin
Baldwin, KS 66006		The Control of

Kansas Permit No. A-MCDG-M002

This is an existing facility for 60 head (84 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

(continued)

Compliance Schedule: The last cell of the three-cell structure serving the dairy parlor shall be maintained with a minimum of two feet of freeboard available for future wastewater accumulations.

Name and Address of Applicant Description Water

Leon F. Huser NE/4, Sec. 4, Smoky Hill River 2758 Antonino Road T15S, R16W, Victoria, KS 67671 Ellis County

Kansas Permit No. A-SHEL-M004

This is an existing facility for 50 head (70 animal units) of dairy cows.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	12	Receiving Water
K. Hineman Company HC2, Box 40 Dighton, KS 67839	SW/4, Sec. 31, T18S, R28W,	k j	Upper Arkansas River Basin
Kansas Permit No. A-UALI	Lane County E-B001	\$. j.	

This is an existing facility for 750 head (750 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal	Receiving
	Description	Water
	S/2, Sec. 3,	Smoky Hill
Route 1, Box 118		River Basin
Bison, KS 67520	Rush County	

Kansas Permit No. A-SHRH-H001 Federal Permit No. KS-0093378
This is a new facility for 3,840 head (1,536 animal untis) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule:

- 1) The waste management plan for the facility developed by Mueting Engineering and approved by this department shall become a compliance condition of this permit. The plan covers handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes.
- Dewatering and disposal equipment capable of providing 156 gpm shall be obtained within six months after the issuance of this permit through purchase, rental, or custom application agreement.

Name and Address	Legal	Receiving
of Applicant	Description	Water
John A. Martin	SW/4, Sec. 12,	Lower Arkansas
Box 205	T26S, R3W,	River Basin
Andale, KS 67001	Sedgwick County	

Kansas Permit No. A-ARSG-S005

This is an existing facility for 900 head (360 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address	Legal Receiving
of Applicant	Description Water
Harold Elsasser	SW/4, Sec. 32, Lower Republican
26 Arrowhead Road	T5S, R1E, River Basin
Clyde, KS 66938	Washington County

Kansas Permit No. A-LRWS-S003

This is an existing facility for 200 head (80 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements:

Compliance Schedule: On December 1 of each year the concrete manure pit(s) shall have a minimum of 120 days of storage available.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Patrick D. Collins	SW/4, Sec. 17,	Neosho River
Route 1	T25S, R17E,	Basin
Piqua, KS 66761	Woodson County	

Kansas Permit No. A-NEWO-S011

This is an existing facility of 250 head (100 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Public Notice No. KS-96-289/303

Name and Address of Applicant	Waterway	Type of Discharge
Empire Dist. Electric Co. Riverton Facility	Neosho River via Spring River	Treated process
P.O. Box 127	Obstates	through cooling
Joplin, MO 64802		water

Kansas Permit No. I-NE73-B001 Federal Permit No. KS-0079812

Location: NW1/4, S20, T34S, R25E, Cherokee County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing electric power generation wastewater treatment facility. This facility generates electric power with high pressure steam produced by fossil fuel. The discharges consist of once-through treated cooling water, demineralizer backwash and regenerate, coal pile runoff pond overflow, bottom ash pond overflow, boiler blowdown and miscellaneous other streams. Domestic waste is directed to the Riverton sanitary sewer system. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address		Type of
of Applicant	Waterway	Discharge
Herzog Contracting Corp		Quarry pit
Wathena Quarry	unnamed tributary	dewatering and
P.O. Box 108		excess washwater
St. Joseph MO 64502	State of the second second	

Kansas Permit No. I-MO23-PO01 Federal Permit No. KS-0002780 Location: NW14, \$15, T3S, R22E, Doniphan County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This facility is engaged in a limestone quarrying and crushing operation with washing. Washwater is treated and recycled using settling ponds, which do not discharge a majority of the time. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address	re gat es	Type of
of Applicant	Waterway	Discharge
Martin Marietta Aggregate	s Smoky Hill	Quarry pit
Woodbine Quarry 4554 N.W. 114th	River via Lyon Creek via Cary	dewatering and
	Creek via Cary	excess washwater
Des Moines, IA 50322	Creek WS ,s\	

Kansas Permit No. I-SH42-PO01 Federal Permit No. KS-0115797

Location: SW¼ and SW¼, SE¼, S11; NW¼ and W½, NE¼ and SE¼, NE¾, S14, T14S, R4E, Dickinson County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying and crushing operation with washing. Washwater is recycled through settling ponds and discharged, if necessary. Quarry pit drainage and washwater are also discharged. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology hased.

Type of Name and Address Discharge Waterway of Applicant **Ouarry** pit Neosho River via **Martin Marietta Aggregates** dewatering and **Sunflower Ouarry** Cottonwood River via unnamed excess washwater 4554 N.W. 114th Des Moines, IA 50322 tributary

Kansas Permit No. I-NE26-PO01 Federal Permit No. KS-0087769 Location: SE¼, S31, T20S, R5E; E½, NE¼, S6, T21S, R5E, Franklin County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying and crushing operation which occasionally washes rock. Washwater is treated and recycled using settling ponds which may only discharge during or after a heavy rainfall event. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address
of Applicant
Waterway
Martin Marietta Aggregates
South Marion Quarry
4554 N.W. 114th
Des Moines, IA 50322

Type of
Discharge
Quarry pit
dewatering and
excess washwater

Kansas Permit No. I-NE45-PO01 Federal Permit No. KS-0115762
Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying and crushing operation with washing. Washwater is recycled through settling ponds and discharged, if necessary. Quarry pit drainage and washwater are discharged at the same outfall. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Type of Name and Address Waterway Discharge of Applicant Verdigris River via Quarry pit Martin Marietta Aggregates dewatering and Severy Quarry Fall River via Salt excess washwater 4554 N.W. 114th Creek via Severy Des Moines, IA 50322 City Lake via unnamed tributary

Kansas Permit No. I-VE34-PO01 Federal Permit No. KS-0090263 Location: E½, NE¾, \$10; NW¾ and W½, NE¾, S11, T28S, R11E, Franklin County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying and crushing operation which occasionally washes rock. Washwater is treated and recycled using settling ponds which may only discharge during or after a heavy rainfall event. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address

of Applicant

Martin Marietta Aggregates

Moline Quarry

4554 N.W. 114th

Des Moines, IA 50322

Type of

Discharge

Verdigris River via

Elk River via

Wildcat Creek

Stormwater

Federal Permit No. KS 00203

Kansas Permit No. I-VE27-PO01 Federal Permit No. KS-0020311 Location: SE¼ and E½, SW¼, S1; N½, S12, T31S, R10E; W½ and SE¼, S6 and W½, S7, T31S, R11E, Elk County Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying, crushing and washing operation. All wastewater from the washing operation is recycled and is not discharged. The only discharge (Outfall 001) is from the quarry pit dewatering and uncontaminated stormwater runoff. The requirements of the permit are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address
of Applicant

Martin Marietta Aggregates
Little River Quarry
4554 N.W. 114th
Des Moines, IA 50322

Kansas Permit No. I-LA10-PO01 Federal Permit No. KS-0115771

Location: NE¹/₄, S15, T20S, R6W, Rice County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying and crushing operation with no washing. The requirements of the permit are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address
of Applicant

Martin Marietta Aggregates
Castle-Lindenmeyer Quarry
4554 N.W. 114th
Des Moines, IA 50322

Type of
Discharge
Quarry pit
dewatering and
stormwater

Kansas Permit No. I-KS87-PO03 Federal Permit No. KS-0020664

Location: SE¼, S11, T10S, R15E, Shawnee County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying, crushing and sizing operation with no washing. The requirements of the permit are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Type of Name and Address Discharge of Applicant Waterway Quarry pit Martin Marietta Aggregates Neosho River via dewatering and **Cottonwood River** Hett Quarry (No. Marion) via Clear Creek via stormwater 4554 N.W. 114th Des Moines, IA 50322 unnamed tributary

Kansas Permit No. I-NE45-PO02 Federal Permit No. KS-0087751 Location: NW¼, S28; SE¼ and E½, SW¼, S21, T19S, R4E, Marion County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying and crushing operation with washing. All wastewater from the washing operation is clarified in settling ponds and recycled and does not discharge. The only discharge is the dewatering of the quarry pit and uncontaminated stormwater runoff. The requirements of the permit are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address
of Applicant
Waterway
Martin Marietta Aggregates
Zeandale Quarry
4554 N.W. 114th
Des Moines, IA 50322

Type of
Discharge
Quarry pit
dewatering and
excess washwater

Kansas Permit No. I-KS38-PO03 Federal Permit No. KS-0020630 Location: W½, NW¼, S3 and N¼, S4, T11S, R9E and S½, S33 and W½, SW¼, S34, T10S, R9E, Riley County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying, crushing and washing operation. All washwater is clarified in a settling pond and recycled after clarification. An occasional discharge may occur from the settling pond. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

(continued)

Name and Address of Applicant City of Gridley P.O. Box 182

Gridley, KS 66852

Waterway Neosho River via Big Creek via S. Fork Big Creek via

Dinner Creek

Type of Discharge Treated domestic wastewater

Kansas Permit No. M-NE32-OO01

Federal Permit No. KS-0045993

Location: SE14, S32, T22S, R14E, Coffey County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing two-cell wastewater treatment lagoon system treating domestic wastewater. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based

Name and Address of Applicant Jefferson County Commissioners

Waterway Perry lake

Type of Discharge Treated domestic wastewater

Lake Shore Estates c/o Jefferson County Health

Department P.O. Box 324 Oskaloosa, KS 66066

Kansas Permit No. M-KS54-OO06

Federal Permit No. KS-0093173

Location: NE1/4, S29, T10S, R18E, Jefferson County

Facility Description: The proposed action is to issue a new permit for operation of a new three-cell wastewater treatment lagoon system treating domestic wastewater. This facility will replace the existing mechanical plant. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Waterway

Name and Address of Applicant City of Olsburg P.O. Box 96 Olsburg, KS 66520

Type of Discharge **Tuttle Creek** Treated domestic wastewater

Reservoir via Carnahan Creek via Booth Creek via

unnamed tributary Kansas Permit No. M-BB18-OO01 Federal Permit No. KS-0093297

Location: SE1/4, S23, T7S, R7E, Pottawatomie County

Facility Description: The proposed action is to issue a new permit for operation of an existing three-cell wastewater treatment lagoon system treating domestic wastewater. The status of the facility is being changed from nonoverflowing to discharging. The proposed permit contains a schedule of compliance requiring the city to obtain the services of the KDHE-certified Class I operator. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant U.S.D. No. 229 Stilwell Elementary P.O. Box 23901

Waterway Blue River via

Type of Discharge

Camp Branch

Treated domestic wastewater

Overland Park, KS 66223

Kansas Permit No. M-MO26-OO03

Federal Permit No. KS-0118231

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment mechanical plant treating domestic wastewater. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(bf), and federal surface water criteria, and are water quality based.

Public Notice No. KS-ND-96-076/078

Name and Address of Applicant **Moorland Estates** c/o Dick Alumbaugh

Legal Location NW14, S24, T23S, R1W, Harvey County Type of Discharge Nonoverflowing

216 N. Meridian, Suite 3B Newton, KS 67114

Kansas Permit No. C-LA13-NO02

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing three-cell wastewater treatment lagoon system treating domestic wastewater. Disposal of the treated wastewater is by percolation and evaporation. The proposed permit contains a schedule of compliance to obtain the services of a KDHEcertified operator.

Name and Address of Applicant

Legal Location

Type of Discharge Nonoverflowing

Ostrom's Well Service P.O. Drawer 368 Plainville, KS 67663

NW1/4, S26, T9S, R18W

Rooks County

Kansas Permit No. I-SA14-NO01

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment lagoon system. This facility services and repairs oil field trucks. Oil and grease are separated in the wash bay by a baffled skimmer system. Oil and grease is shipped to an oil reclaimer. The washwater is directed to a clay-lined nonoverflowing evaporative lagoon. Domestic waste from the restrooms is directed to a septic tank/lateral field system.

Name and Address of Applicant City of Sharon P.O. Box 67 Sharon, KS 67138

Legal Location NW14, S21, T32S, R10W **Barber County**

Type of Discharge Nonoverflowing

Kansas Permit No. M-AR80-NO01

Facility Description: The proposed action is to issue a new permit for operation of an existing two-cell wastewater treatment lagoon sys tem treating domestic wastewater. The status of the facility is being changed from discharging to nonoverflowing with irrigation.

Written comments on the draft permits must be submitted to the attention of Lisa Duncan for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received by December 6 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-96-759/766, KS-96-289/303, KS-ND-96-076/078,) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/ or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> Oclames J. O'Connell Secretary of Health and Environment

State Corporation Commission

Notice of Hearing

Pursuant to K.S.A. 55-603, 55-604, 55-703 and 55-703a, the State Corporation Commission has directed that a hearing be conducted to allow the following parties to show cause as to why their basic proration orders should not be dissolved:

- In the matter of the application of Champlin Petroleum Company, a corporation, for an 80-acre drilling and spacing order in the Chester Sand Formation covering an area comprised of Sections 1, 2, 3, 10, 11 and 12 in Township 32 South, Range 34 West, Seward County, Kansas, therein affecting Sections 1, 2, 3, 10, 11 and 12 and Township 32 South, Range 34 West, Seward County, Kansas. Docket No. 133,978-C (C-20,097)
- In the matter of establishing a well spacing pattern in the Mississippian Oil Reservoir of the Lakin Field in Kearny County, Kansas, and for the establishment of the appropriate allowables for wells drilled therein, affecting all of Sections 26, 27, 28, 29, 32, 33, 34 and 35, Township 25 South, Range 36 West; and all of Sections 2, 3, 4, 5, 8, 9 and 10, Township 26 South, Range 36 West, Kearny County, Kansas. Docket No. 56,073-C (C-5,914)
- In the matter of the application of Gear Petroleum Company, Inc. for an order establishing 40-acre spacing for the East Half of Section 24, Township 16 South, Range 30 West, Lane County, Kansas, therein affecting the E/2 of Section 24, Township 16 South, Range 30 West, Lane County, Kansas. Docket No. 148,833-C (C-21,432)
- In the matter of the application of Kansas Petroleum, Inc. for an order establishing a basic proration order for a gas pool producing from the Conglomerate Formation in Township 22 South, Range 11 West, Stafford County, Kansas, therein affecting the E/2 of Section 20 and the W/2 and NE/4 of Section 21; all of Section 16; SE/4 of Section 17; SE/4 of Section 9; SW/4 of Section 10, Township 22 South, Range 11 West, Stafford County, Kansas. Docket No. 154-1969-C (C-22,344)
- In the matter of the application of Cities Service Oil and Gas Corporation for an order establishing a basic proration order for the Upper Morrow Formation in a portion of Township 34 South, Range 42 West, Morton County, Kansas, therein affecting the E/2 of Section 22, all of Section 23, and all of Section 26, Township 34 South, Range 42 West, Morton County, Kansas. Docket No. 139,874-C (C-20,462)

The hearing will be at 10 a.m. Thursday, December 5, in Room 2078, Finney State Office Building, 130 S. Market, Wichita. Any person requiring special accommodations under the Americans With Disabilities Act should contact the commission at least 10 days before the hearing.

Further information may be obtained by contacting William J. Wix, Assistant General Counsel, State Corporation Commission, Conservation Division, Room 2078, Finney State Office Building, 130 S. Market, Wichita, 67202, (316) 337-6200.

Judith McConnell Executive Director

(Published in the Kansas Register November 7, 1996.)

Summary Notice of Bond Sale \$200,000 City of Horton, Kansas General Obligation Bonds, Series 1996

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated November 4, 1996, sealed bids will be received by the clerk of the City of Horton, Kansas (the issuer), on behalf of the governing body at City Hall, 205 E. 8th, P.O. Box 30, Horton, KS 66439, until 5 p.m. November 18, 1996, for the purchase of \$200,000 principal amount of General Obligation Bonds, Series 1996. No bid of less than 98 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated December 1, 1996, and will become due on December 1 in the years as follows:

Year		Amount
1997		\$ 5,000
1998		10,000
1999		10,000
2000		10,000
2001	State of the state of the	15,000
2002		20,000
2003		20,000
2004		20,000
2005		20,000
2006		20,000
2007		25,000
2008	1. 概点 强制效	25,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 1997.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a qualified financial surety bond in the amount of \$4,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before December 3, 1996, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

(continued)

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1996 is \$4,289,451. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$115,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (913) 486-2681, fax (913) 486-2961; or from the financial advisor, Stifel, Nicolaus & Company, Incorporated, Wichita, Kansas, Attention: Larry L. McKown, (316) 264-6321 or 1-800-786-5726, fax (316) 264-8688.

Dated November 4, 1996.

City of Horton, Kansas

Doc. No. 018351

State of Kansas

Department of Administration

Permanent Administrative Regulations

Article 17.—USE OF STATE-OWNED OR OPERATED MOTOR VEHICLES ON OFFICIAL STATE BUSINESS

1-17-10. State-owned or leased motor vehicles; travel records. (a) Each state agency shall ensure that travel records are maintained for each state-owned or leased motor vehicle assigned to the agency.

(b) For daily and trip assignments, each operator shall maintain an accurate record of mileage for the vehicle on forms prescribed by the secretary. The beginning and ending mileage shall be shown. Each driver shall sign the form certifying the daily or trip mileage, list all expenditures incurred, and attach all receipts to the form at the time of returning the vehicle.

(c) For each permanently assigned vehicle, the operator shall maintain a daily log of mileage, use, and expenses incurred in the operation of the vehicle on forms prescribed by the secretary. Each agency head or a designee shall submit the daily logs for each central motor pool vehicle to the secretary or the secretary's designee not later than five working days following the end of each month.

(d) The head of any state agency may request that the secretary approve an exemption from some or all of the record-keeping requirements of this regulation for the entire agency or some of the agency's employees. Such an exemption may be approved upon a finding by the sec-

retary that the exemption is necessary or desirable in order to meet the reasonable operational needs of the agency. The exemption may be revoked by the secretary at any time. (Authorized by and implementing K.S.A. 75-4608; effective, E-74-4, Nov. 2, 1973; effective May 1, 1975; amended May 1, 1979; amended May 1, 1981; amended Nov. 22, 1996.)

Article 45.—MOTOR VEHICLE PARKING ON CERTAIN STATE-OWNED OR OPERATED PROPERTY IN SHAWNEE COUNTY

1-45-4. Issuance of permits. Each person or state agency requesting a parking permit shall submit an application in the form or manner determined by the secretary. Each applicant issued a permit shall sign a written contract, and where applicable, shall pay the fee prescribed by K.A.R. 1-45-7 for each permit before the permit is issued. (Authorized by K.S.A. 75-3706, 75-4506, and 75-4507; implementing K.S.A. 75-4506; effective May 1, 1979; amended Nov. 22, 1996.)

I-45-7. Fees and charges. Parking permit fees shall be paid in advance. The parking permit fee, where required, shall be \$10.00 per month for state agencies and \$4.62 per two-week fee period for state employees. The fee shall not be pro-rated and no refunds shall be made for any unused portions of a fee period. A parking permit fee shall not be required for vehicles in the state vanpool or for carpools which have three or more state employees as passengers. The payment of permit fees shall be a continuing obligation until terminated in writing by either party to a parking contract. (Authorized by K.S.A. 75-3706, 75-4506, and 75-4507; implementing K.S.A. 75-4506; effective May 1, 1979; amended May 1, 1981; amended, T-87-17, July 1, 1986; amended May 1, 1987; amended Nov. 22, 1996.)

1-45-8. Fee permits. (a) A fee permit, as available, may be issued to any employee of the state of Kansas who personally has an office assigned in the statehouse, the judicial center, the Docking or Landon state office buildings, memorial hall, the insurance department buildings or in such other buildings as the secretary may from time to time determine, if the employee has signed a contract and paid the fee prescribed by K.A.R. 1-45-7.

(b) Such permits shall be displayed only upon a motor vehicle owned or leased by such an employee. A maximum of two decals shall be authorized for each parking permit holder in the fee parking lots. Any motor vehicle displaying a fee permit may be parked in any parking stall on property subject to these rules and regulations which is not specifically marked or posted for the use and benefit of other identified permit holders. (Authorized by K.S.A. 75-3706, 75-4506, and 75-4507; implementing K.S.A. 75-4506; effective May 1, 1979; amended Nov. 22, 1996.)

Acting Secretary of Administration

Doc. No. 018338

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Department of Human Resources Division of Employment

Permanent Administrative Regulations

Article 2.—UNEMPLOYMENT INSURANCE; CONTRIBUTING, REIMBURSING AND RATED GOVERNMENTAL EMPLOYMENT

50-2-21. Computation of employer contribution rates. (a) The terms "total wages" and "taxable wages," as used in this regulation, shall refer to all payrolls for contributing employers, reported and received by September 1 following the computation date of June 30, for all employment during the fiscal year ending on the computation date. The certified payroll information as of September 30 that is required for the computation delineated in this section shall be provided by the director of data processing.

(b) Planned yield. The approximate amount of the planned yield for the ensuing calendar year shall be com-

puted as follows:

(1) The planned yield on total wages in column B of Schedule III, of K.S.A. 1995 Supp. 44-710a(a)(3), shall be determined by the reserve fund ratio in column A of the same schedule. The reserve fund ratio shall be computed by dividing the total assets of the employment security fund, as of July 31, following the computation date and as certified by the chief of management, by the total payrolls for the preceding fiscal year ended June 30, as certified by the director of data processing.

(2) The average rate of contributions shall be determined by multiplying the ratio of total to taxable payrolls for the preceding fiscal year ended June 30 by the planned yield computed in paragraph (b)(1) of this regulation. In any calendar year in which the taxable wage base changes, the calculation for that calendar year and the following calendar year shall be an estimate of what the taxable wages would have been if the new taxable wage base had been in effect during the preceding fiscal year ending June 30.

(3) The approximate amount of the planned yield for the ensuing calendar year shall be the taxable wages for the previous fiscal year ended June 30, multiplied by the average rate of contributions computed in paragraph (b)(2) of this section, rounded to the nearest \$100,000.00.

(c) Estimated yield from ineligible employer accounts.

(1) Estimated contributions for industry-rated employ-

(A) The computation shall be made using a certified tabulation provided by the director of data processing entitled "all accounts except reimbursing—cross classification by rate and industry." The procedure for computing the average contribution rate for all industries and for each industry division shall be identical. The rate of the preceding calendar year for each rate group in the industry division shall be cumulatively multiplied times the taxable wages in each corresponding rate group for the industry division. The cumulative total shall be divided by the total taxable wages in the industry to determine the industry rate. The assigned rate for each industry

shall be the sum of 1.0 percent plus the computed rate or the sum of 1.0 percent plus the average rate of all employers, whichever is higher. The assigned rate shall not be less than 2.0 percent.

(B) The average rate for all industries shall be computed by cumulatively multiplying the calculated rate of each industry division times the total taxable wages for that industry division and dividing the cumulative total by the total taxable wages for the industry divisions.

(C) The estimated contributions for each specially rated industry division and all other divisions shall be computed by multiplying the taxable wages for the corresponding industry divisions or all other industry divisions by the appropriate assigned rate.

(2) The total estimated yield for active ineligible employer accounts shall be the sum of the estimated contri-

butions for industry-rated employers.

- (3) Negative account balance employers, as defined in K.S.A. 1995 Supp. 44-710a(d), shall pay at the statutory rate of 5.4 percent. In addition, negative balance employers shall be assessed a surcharge based on the size of the employer's negative reserve ratio. The director of data processing shall provide a certified listing of all negative account balance employers. The listing shall contain the negative reserve ratio, number of employers, and taxable wages for the fiscal year ended June 30. Each negative account balance employer shall be identified as shown in schedule II of K.S.A. 1995 Supp. 44-710a. The assigned rate shall be the sum of the statutory rate of 5.4 percent plus the applicable surcharge identified in schedule II of K.S.A. 1995 Supp. 44-710a. The estimated contributions of negative account balance employers shall be computed by multiplying the taxable wages of all negative account balance employers by only the statutory rate. The resultant product shall reflect the estimated yield from negative account balance employers.
- (d) The required yield for eligible employer accounts shall be the approximate amount of the planned yield, computed in paragraph (b)(3) of this regulation, less the total estimated yield for active ineligible employer accounts computed in paragraph (c)(2) of this regulation and less the total estimated yield from negative account balance employers computed in paragraph (c)(3) of this regulation.

(e) Rate adjustment for active eligible employer ac-

counts.

- (1) A certified array of each active eligible employer account shall be provided by the director of data processing in accordance with schedule I, K.S.A. 1995 Supp. 44-710a. The tabulation shall include the following:
 - (A) The lowest reserve ratio in each rate group;
 - (B) the number of employers in each rate group;(C) the amount of taxable wages in each rate group;
- (D) the cumulative amount of taxable wages for all accounts from the first through each succeeding rate group;
- and
 (E) the final, total taxable payrolls for the fiscal year ended June 30, for all active eligible employer accounts. In any calendar year in which the taxable wage base changes, the taxable wages used in the calculation for that calendar year and the following calendar year shall be an

estimate of what the taxable wages would have been if the new taxable wage base had been in effect during all of the preceding fiscal year ending June 30.

(2) The average rate required shall be the required yield for eligible employer accounts, determined in subsection (d) of this regulation, divided by the total taxable payrolls listed in paragraph (e)(1)(E) of this regulation.

- (3) The average rate required shall be divided by the average estimated yield of the array to develop an adjustment factor. The average estimated yield of the array shall be computed by cumulatively multiplying the taxable payrolls in each rate group by the experience factor denoted for each rate group in schedule I, K.S.A. 1995 Supp. 44-710a(a)(2), and dividing by the total taxable payrolls for active accounts. The experience factor for each rate group in schedule I shall be multiplied by the adjustment factor to determine the adjusted tax rate for each rate group, with the statutory maximum as an upper limit.
- (4) The taxable payrolls for each rate group shall be multiplied by the adjusted tax rate computed for each rate group to determine the estimated contributions for each rate group.
- (A) If the adjusted tax rate reaches the statutory maximum at a rate group numerically lower than the highest numbered rate group, or if the computed rate for any group is higher than the statutory maximum, the adjusted tax rates shall be adjusted further. The estimated additional contribution incurred because of the statutory maximum limit of the unadjustable groups shall be prorated over rate groups other than those that are unadjustable. The taxable payrolls and estimated contributions of the unadjustable groups shall be subtracted, respectively, from the totals of all groups and the balances used in the readjustment.
- (B) The readjustment shall be accomplished by dividing the total estimated contributions of the adjustable groups by the total taxable payrolls of the adjustable rate groups to determine the required rate of yield for the groups. The estimated rate of yield for the rate groups shall be computed by cumulatively multiplying the experience factor by the corresponding taxable payroll in each rate group and dividing the cumulative total by the total taxable wages of the rate groups. The required rate of yield shall be divided by the estimated rate of yield for the adjustable groups to determine the final adjustment factor.
- (C) The experience factors of all rate groups in schedule I shall be multiplied by the final adjustment factor to determine the final effective contribution rates for the eligible contributing employers, with no effective contribution rate to exceed 5.4 percent.
- (f) A computation and listing of the effective employer contribution rates shall be prepared by the chief of labor market information services. If in rounding to the terminal digit it is determined that the position subsequent to the terminal digit is five and all succeeding digits are zero, the terminal digit shall be rounded to the nearest even digit. All such calculations shall be rounded to the nearest 1/1000 except as mandated by K.S.A. 1995 Supp. 44-710a(a)(3) requiring all rounding be to the nearest 1/1001 (Authorized by K.S.A. 44-714; implementing K.S.A. 1995

Supp. 44-710a; effective May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended June 25, 1990; amended Nov. 22, 1996.)

Wayne L. Franklin Secretary of Human Resources

Doc. No. 018336

State of Kansas

Kansas Water Office

Permanent Administrative Regulations

Article 5.—STATE WATER PLAN STORAGE

98-5-1. Definitions. (a) "Assignment" means:

- (1) the transfer of any right under a water purchase contract to a third person; or
- (2) the transfer to a third person of any of the duties and obligations owed by the water contract holder to the state.
- (b) "Chairperson" means the chairperson of the Kansas water authority.
- (c) "Conservation storage water supply capacity" means the space in a reservoir which has been:
- (1) Purchased, contracted for purchase, or otherwise acquired by the state; and
- (2) designated for the storage of water for any beneficial purpose or for sediment accumulation purposes in proportion to the amount of storage purchased, contracted for purchase, or otherwise acquired by the state.
- (d) "Days" means calendar days except when the time period ends on a legal holiday or weekend. In such a case, the next business day shall be the last day counted for the time period.
- (e) "Designated representative" means any person designated by the director to perform duties and functions on the director's behalf.
- (f) "Drought having a two percent chance of occurrence in any one year" means a drought having a statistical chance of occurring once every 50 years, on the average. The drought which has a two percent chance of occurrence in any one year is assumed to lie within the continuous drought of record during the years 1952 through 1957.
- (g) "Industrial use" means any use of water primarily for the production of goods, food, or fiber, or for providing utility services, and includes any incidental uses.
- (h) "Municipal use" means the various uses of water which is:
- (1) Obtained from a common water supply source by a municipality, rural water district, other water supply district, or group of householders;
- (2) delivered through a common distribution system;
- (3) used for domestic, commercial, trade, industrial, and any other related incidental uses for any beneficial purposes.
- (i) "Natural flow" means that portion of the flow in a natural stream that consists of precipitation on the stream and reservoir water surface, direct runoff from precipitation on the land surface, groundwater infiltration to the

stream, and return flows to the natural stream from municipal, agricultural, or other uses.

(j) "Reservoir" means a lake or other impoundment in

which water is stored.

(k) "Reservoir yield" means the quantity of water which can be withdrawn from the conservation storage water supply capacity of a reservoir with a two percent chance of shortage, as determined through the procedure described in K.A.R. 98-5-8.

(1) "Water reservation right" means the state's right to divert and store waters of all streams flowing into the conservation storage water supply capacity of a reservoir. The right shall be sufficient to ensure the yield of water throughout a drought having a two percent chance of

occurrence in any one year.

(m) "Year" means the 12 month period beginning with a specified month and day of year and continuing through the day preceding the same month and day of the next succeeding calendar year. (Authorized by K.S.A. 82a-1319; implementing K.S.A. 82a-1305 et seq.; effective May 1, 1979; amended May 1, 1980; amended May 1, 1984; amended Nov. 22, 1996.)

98-5-8. Determination of reservoir yields through droughts with a two percent chance of occurrence in any one year. (a) In determining the yield of a reservoir through a drought with a two percent chance of occurrence in any one year, the following shall be used by the director:

(1) The drought which has a two percent chance of occurrence in any one year lies within the continuous drought of record during the years 1952 through 1957;

(2) The reservoir yield which can be reasonably expected to be maintained during a drought with a two percent chance of occurrence in any one year is the water which would be available from the conservation storage water supply capacity with no shortage through a period equivalent to the hydrologic and climatic record during the years of 1952 and 1957;

(3) The historic monthly inflows during the years of 1952 through 1957, as adjusted for depletions after 1957,

will be routed through the reservoir;

(4) The conservation storage water supply capacity providing the reservoir yield will be that capacity which is anticipated to be available after 40 years of sedimentation from the time of determining the reservoir yield;

(5) All conservation storage water supply capacity in a reservoir will be assumed to be fully utilized during the time period of 1952 through 1957, accounting for evaporation from the surface area of the reservoir; and

(6) reservoir yields of 99.9 million gallons per day or less (99.9 MGD) will be computed to a precision of 100,000 gallons per day (0.1 MGD). Reservoir yields greater than 100 million gallons per day (100 MGD) will be computed to a precision of one million gallons per day (1 MGD).

(b) The reservoir yield may be recalculated after receipt of updated information regarding inflow depletions, reservoir sedimentation, or revisions to reservoir operating criteria. (Authorized by and implementing

K.S.A. 82a-1309; effective Nov. 22, 1996.)

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Doc. No. 018345

Director

State of Kansas

Kansas Racing and Gaming Commission

Permanent Administrative Regulations

Article 4.—OCCUPATION AND CONCESSIONAIRE LICENSES

112-4-4b. Prohibited license activity. (a) The racing judges or stewards, with the approval of the commission, may prohibit an occupation licensee from performing activities not related to the licensee's occupation license when, in the opinion of the racing judges or stewards, such activity reflects adversely on the honesty and integrity of racing.

(b) No occupation licensee licensed as a kennel owner shall act in the capacity of trainer unless properly licensed to do so. (Authorized by K.S.A. 1995 Supp. 74-8804; implementing K.S.A. 1995 Supp. 74-8810 and K.S.A. 74-

8816; effective Nov. 22, 1996.)

Myron Scafe **Executive Director**

Doc. No. 018342

State of Kansas

Department of Human Resources

Permanent Administrative Regulations

Article 45.—BOILER SPECIFICATIONS AND INSPECTIONS

49-45-10 to 49-45-19. (Authorized by and implementing K.S.A. 1985 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; revoked Nov. 22, 1996.)

Article 53.—NUCLEAR POWER PLANT COMPONENTS

49-53-1 to 49-53-2. (Authorized by and implementing K.S.A. 1985 Supp. 44-916; effective May 1, 1987; revoked Nov. 22, 1996.)

> Wayne L. Franklin Secretary of Human Resources

Doc. No. 018337

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-4. Compensation. (a) Each lottery retailer shall be compensated for selling lottery tickets and/or shares in accordance with the terms of the contract or contracts currently in effect between the Kansas Lottery and the lottery retailer.

(continued)

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(b) Effective January 5, 1997, as consideration for problem on-line game tickets that cannot be sold and are not cancelled, a retailer shall receive an additional .05 percent selling commission for its net on-line sales. Any on-line game ticket that was neither sold nor cancelled shall not be returned to the lottery for credit. At the discretion of the executive director, credit may be applied to a retailer's account in the event of a major terminal or system malfunction that results in unsellable and uncancellable tickets being charged to the retailer. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-88-25, August 12, 1987; amended, T-111-10-21-96, Oct. 18, 1996.)

111-2-53. "Lucky Holidays" retailer incentive. (a) During the period between the start of the "Lucky Holidays" game and ending 5:00 p.m. on Friday, December 27, 1996, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery shall also offer for all retailers the "Lucky Holidays" retailer incentive promo It will be held in conjunction with the Kansas lottery's "Lucky Holidays" game (K.A.R. 111-4-902 through 111-4-906) as follows:

(b) With each book of "Lucky Holidays" tickets activated, a retailer will automatically be entitled one entry card. Entry cards for each eligible book of tickets will be completed by the lottery based upon computer records identifying the activation of each book of "Lucky Holidays" by a retailer, and entered into the random drawing. Only "Lucky Holidays" books activated by 5:00 p.m., December 27, 1996, will be eligible for the drawing.

(c) The drawing will be held at 3:00 p.m. on Tuesday, December 31, 1996, at lottery headquarters. The first card drawn from all cards entered will entitle the retailer named thereon to win the first prize which is a trip from Kansas City to Denver, Colorado for two for four days and three nights, including hotel and air fare, two tickets to the Kansas State University versus Colorado basketball game provided by the Wildcat Network of Topeka, Kansas, and the Kansas lottery, and \$500 cash. (Authorized by K.S.A. 1995 Supp. 74-8710; implementing K.S.A. 74-8708 and K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

Article 4.—INDIVIDUAL GAME RULES RULES FOR INSTANT GAME NO. 72 "SUPER BLACKJACK"

111-4-319. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Super Blackjack" commencing on or after November 16, 1996. The specific rules for the "Super Blackjack" game are contained in K.A.R. 111-3-1 et seq. and 111-4-919 through 111-4-923. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-920. Definitions. The following definitions shall apply to the "Super Blackjack" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink 10 point in WGI font with matching captions in WGI Cap font. A card value game symbol appears in each of 24 play spots within the play area or

the word "BUST" appears in either or both dealer's hands. A prize value game symbol appears in each of 10 prize spots within the play area. Each game symbol for this instant game is one of the following: \$1.9 - \$2.00 - \$4.00 - \$5.00 - \$7.00 - 11.00 - 21.00 - 70.00 - \$110\$ - \$210\$ - \$2100 - \$21000 - 2 - 3 - 4 - 5 - 7 - 8 - 9 - 10 - J - Q - K - A - BUST.

(b) "Game symbol captions" are the words or portions of words printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

	 1.5 the 10 2 (18) (48).
	Game Symbol
Game Symbol	Prize Caption
\$1.00	ONES
\$2.00	TWOS
\$4.00	
\$5.00	FOUR\$
\$7.00	FIVE\$
	SEVN\$
11.00	ELEVEN
21.00	TWEN-ONE
70.00	SVNTY
\$110\$	ONE-TEN
\$210\$	TWO-TEN
\$2100	21-HUN
\$21000	21-THOU
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to King Albania	KNG
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ופטע	BUST

- (c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the removable latex covering in the play area on the front of each instant ticket.
- (d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.
- (e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying

locations among the game symbols. The codes and their meanings are as follows: TWO = \$2.00; FOR = \$4.00; FIV = \$5.00; SEV = \$7.00; ELV = \$11.00; TWN = \$21.00; STY = \$70.00; OTN = \$110.00; THT = \$210.00.

(f) "Bar code" means the 16-digit bar coded number appearing near the center at the bottom on the back of each ticket. (Authorized by and implementing 1995 Supp. K.S.A. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-921. Cost of ticket. The price of "Super Blackjack" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-922. Determination of instant prize winners. An instant prize winner is determined in this "Super Blackjack" instant game when the player "scratches off" the removable layer of material covering each of two separate play areas, also called "tables" to reveal five "player's" hands, entitled "PLAYER 1," "PLAYER 2," "PLAYER 3," "PLAYER 4," and "PLAYER 5," five prize amounts, and one "dealer's" hand for each play area. Underneath each "player" number are two playing card game symbols representing playing card numbers "2" through "10," not including "6," and face card letters from "J" through "A." Under each player's game card symbol is a "prize" amount for each hand. Each "table" contains one "dealer's" hand each with two playing card game symbols representing playing card numbers "2" through "10," not including "6," and face card letters from "J" through "A" or the word "BUST." The card game symbol letters "J," "Q," and "K" each have a point value of 10 and the card game symbol letter "A" has a point value of 11. For each "table," the player will add the two cards in each "player's" hand and the two cards in the "dealer's" hand. If the combined total of the player's two game symbol numbers or letters is higher than the dealer's two game symbol numbers or letters for that "table," the player wins the prize below that "player." If the player gets "Blackjack" (21) in any "player's" hand, the player wins double the prize for that hand. If the dealer "BUSTS," the player wins all five prizes for that "table." Each ticket can win up to 10 times. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i) and 74-8720(b) and (d); effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-923. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	66,000	\$ 132,000
\$1 Doubled	120,000	240,000
\$4 (57.2)	20,400	181,600
\$2 Doubled	18,000	72,000
\$1 + \$1 + \$2	24,000	96,000
\$1 + \$1 + \$1 + \$1	18,000	72,000
\$1 Doubled + \$1 Doubled	33,000	132,000
\$5.3 9964.	2,400	12,000
\$2 Doubled + \$1	5,400	27,000
\$1 + \$2 + \$2	9,000	45,000
\$1 × 5 (Bust)	15,000	75,000
\$7 d di	2,400	16,800

		The second secon
\$2′+\$5	2,400	16,800
\$1 + \$2 + \$4	4,200	29,400
\$1 + \$1 + \$1 + \$2 Doubled	4,200	29,400
\$2 + \$2 + \$2 + \$1	6,000	42,000
\$1 × 5 (Bust) + \$1 Doubled	7,200	50,400
\$1 + \$1 + \$1 + \$1 + \$1 + \$1	7,800	54,600
\$11	2,400	26,400
\$1 + \$1 + \$2 Doubled + \$5	3,600	39,600
\$1 + \$1 + \$1 + \$2 Doubled +	TORK WAR	
\$2 Doubled	3,600	39.600
\$1 + \$2 × 5 (Bust)	4.200	46,200
\$2 \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	1.290	27.090
\$5 + \$5 + \$11	1.800	37,800
\$1 + \$5 Doubled + \$5 Doubled	2,100	44,100
\$1 + \$5 + \$5 + \$5 + \$5	2.400	50:400
\$1 + \$1 + \$1 + \$2 + \$4 + \$4 +	2,100	A SA
\$4 + \$4	2,400	50,400
\$2 Doubled + \$2 Doubled + \$4 +	£/±00	
\$2 Doubled + \$2 Doubled + \$4 + \$5	2,400	50,400
\$1 + \$1 + \$1 + \$4 + \$4 (Bust) +	2,100	50,100
	2.550	53,550
\$2 × 5 (Bust)	480	33,600
\$70	400	00,000
\$2 + \$2 + \$2 + \$11 Doubled +	510	35,700
\$21 Doubled	540	37,800
2 + \$11 + \$11 + \$11 + \$7 × 5 (Bust)	600	42,000
$$7 \times 5 \text{ (Bust)} + $7 \times 5 \text{ (Bust)}$	000	***************************************
\$1 + \$1 + \$1 + \$5 + \$7 (Bust) +	600	42,000
\$11 × 5 (Bust)		42,000
$$1 + $2 + $21 Doubled + 5×5	600	19,800
\$110	180	17,000
\$2 + \$2 + \$7 + \$7 + \$11.	010	23,100
Doubled + \$70	210	25,100 26,400
$$11 \times 5 \text{ (Bust)} + $11 \times 5 \text{ (Bust)}$	240	5,040 5,040
\$210	24	
\$70 + \$70 + \$70	24	5,040
\$2 + \$5 + \$21 + \$21 + \$70 Doubled	36	7,560
$$21 \times 5 \text{ (Bust)} + $21 \times 5 \text{ (Bust)}$. 36	7,560
\$2,100	6	12,600
$$210 \times 5 \text{ (Bust)} + $21 \times 5 \text{ (Bust)}$	12	25,200
\$21,000	5	105,000
	398,243	\$2,159,940

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.52.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f) and 74-8720; effective, T-111-10-21-96, Oct. 18, 1996.)

RULES FOR INSTANT GAME NO. 73 "LUCKY NUMBER BINGO"

111-4-924. Name of Game. The Kansas lottery shall conduct an instant winner lottery game entitled "Lucky Number Bingo" commencing on or after October 21, 1996. The specific rules for the "Lucky Number Bingo" game are contained in K.A.R. 111-3-1 et seq. and 111-4-924 through 111-4-928. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-925. Definitions. The following definitions shall apply to the "Lucky Number Bingo" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game

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ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols for the "PLAYER'S CARDS" are printed in black ink in 10 point WGI font, and for the "CALLER'S CARD," "LUCKY NUMBER" and "BONUS NUMBERS" in black ink in WGI 15 font. A game symbol appears on "PLAYER'S CARDS" in each of 30 play spots within the play area, including the word "BINGO" at the top of each of the four cards, and in 24 play spots on the "CALLER'S CARD," in four play spots in the "BONUS NUMBERS" area, and in one "LUCKY NUMBER" play spot. Each game symbol for this instant game is one of the following:

"PLAYER'S CARDS"

01	02	03	04	05	06	07	08	09	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55.	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	FR	EE	ВІ	NO	

"CALLER'S CARD," "BONUS NUMBERS," and "LUCKY NUMBER"

B01 B02 B03 B04 B05 B06 B07 B08 B09 B10 B11 B12 B13 B14 B15 I16 I17 I18 I19 **I20** I21 I22 I23 I24 I25 **I26 I27** 128 129 **I30** N31 N32 N33 N34 N35 N36 N37 N38 N39 N40 N41 N42 N43 N44 N45 G46 G47 G48 G49 G50 G51 G52 G53 G54 G55 G56 G57 G58 G59 G60 O61 O62 O63 O64 O65 O66 O67 O68 O69 O70 O71 O72 O73 O74 O75 W in a circle

(b) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the removable covering in the play area on the front of each instant ticket.

(c) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the back of each instant game ticket below the bar code.

(d) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six locations at either end of the game symbols on the "CALLER'S CARD." The codes and their meanings are as follows: TWO = \$2.00; FOR = \$4.00; FIV = \$5.00; SEV = \$7.00; TEN = \$10.00; TWY = \$20.00; TWF = \$25.00; FIY = \$50.00; HUN = \$100.00; THN = \$200.00; THY = \$250.00; FIN = \$500.00.

(e) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-926. Cost of ticket. The price of "Lucky Number Bingo" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-927. Determination of instant prize winners. This game is played similarly to the traditional "BINGO" game. The player removes the scratch-off material on the area of the ticket indicated as the "CALLER'S CARD," "BONUS NUMBERS" and "LUCKY NUMBER" to reveal 29 "LUCKY NUMBER BINGO" letter/number combinations. If a "Wild" symbol ("W" in a circle) is revealed, it can be used as an extra "free space." The player then checks to see if any of the letter/number combinations on the "CALLER'S CARD" and "BONUS NUMBERS" match the letter/number combinations on any of the four "PLAYER'S CARDS." The player may then mark matching combinations by scratching or marking the matched spot on the "PLAYER'S CARDS." A "W in a circle" uncovered on the "CALLER'S CARD" or "BONUS NUMBERS" area may be used to fill any unmarked space on each of the four "PLAYER'S CARDS." If the player gets a "BINGO" by matching the letter/number combinations on one of the four "PLAYER'S CARDS" in any horizontal, vertical, or diagonal line as shown in illustration number one on the back of each "BINGO" card; by matching combinations in all four corners as shown in illustration number two on the back of each "BINGO" card; or by matching combinations in both diagonals forming an "X" as shown in illustration number three on the back of each "BINGO" card, the player wins the prize amount indicated on the appropriate winning "PLAYER'S CARD." The player then removes the scratch-off material on the area of the ticket indicated as "LUCKY NUMBER" to reveal a single letter/number. If that "LUCKY NUMBER" matches a number in the "CALLER'S CARD," the player wins \$10. Players can win up to four times on this ticket, but can win only one way on any of the four "PLAYER'S CARDS" on each ticket; that is there will only be one winning pattern per "PLAYER'S CARD." Prizes a player can win are as follows:

```
Win
                                   $2 (Card 1)
                                   $2 (Card 2)
                                                        $2
                                      $2 + $2
                                                        $5
                    $5 + $2 (Card 1 + Card 3)
                                                        $7
                    $5 + $2 (Card 2 + Card 3)
                                                        $7
                                          $10
                                                       $10
           $10 ("Lucky Number" Instant Win)
                                                       $10
                                          $20
                                                       $20
                                     $20 + $5
                                                       $25
                                          $50
                                                       $50
                                 $100 (Card 1)
                                                      $100
                                 $100 (Card 3)
                                                      $100
                                $100 (Card 4)
                                                      $100
               $100 + $100 (Card 1 + Card 3)
                                                      $200
               $100 + $100 (Card 1 + Card 4)
                                                      $200
               $100 + $100 (Card 3 + Card 4)
                                                      $200
$100 + $50 + $100 (Card 1 + Card 2) * Card 3)
                                                      $250
$100 + $50 + $100 (Card 1 + Card 2/+ Card 4)
                                                      $250
$50 + $100 + $100 (Card 2 + Card 3 + Card 4)
                                                      $250
```

			,	
			\$500	\$500
\$500 +	\$100	+ \$100	+ \$100	 \$800
			\$1,000	\$1,000
			\$10,000	\$10,000

(Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i) and K.S.A. 74-8720(b) and (d); effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-928. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	114,000	\$ 228,000
\$2	84,000	168,000
\$4	96,000	384,000
\$ 5	72,000	360,000
\$7	9,000	63,000
\$7	9,000	63,000
\$10	3,000	30,000
\$10	9,000	90,000
\$20	12,000	240,000
\$25	6,000	150,000
\$50	3,000	150,000
\$100	300	30,000
\$100	300	30,000
\$100	300	30,000
\$200	36	7,200
\$200	24	4,800
\$200	24	4,800
\$250	18	4,500
\$250	18	4,500
\$250	18	4,500
\$500	48	24,000
\$800	30	24,000
\$1,000	12	12,000
\$10,000	5	50,000
TOTAL	418,133	\$2,156,300

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.30.
- (c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f) and K.S.A. 74-8720; effective, T-111-10-21-96, Oct. 18, 1996.)

RULES FOR INSTANT GAME NO. 47 "WILD DOUBLE DOUBLER"

- 111-4-929. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Wild Double Doubler" commencing on or after October 21, 1996. The specific rules for the "Wild Double Doubler" game are contained in K.A.R. 111-3-1 et seq. and 111-4-929 through 111-4-932. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)
- 111-4-930. Definitions. The following definitions shall apply to the "Wild Double Doubler" instant lottery game:

- (a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI Symbol font with captions in WGI Cap font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: \$1.00 \$2.00 \$5.00 \$0.00
- (b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1.00	ONE\$
\$2.00	TWO\$
\$ 5.∞	FIVE\$
20.00	TWENTY
40.00	FORTY
\$2500	25-HUN
\$5000	FIVETHOU
SINGLE PRIZE	SINGLE
DOUBLE PRIZE	DOUBLE
DOUBLE DOUBLER	4XPRIZE
Image of a Star	STAR

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the removable covering in the play area on the front of each instant ticket.

- (d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.
- (e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FOR = \$4.00; FIV = \$5.00; TEN = \$10.00; TWY = \$20.00; FRY = \$40.00; ETY = \$80.00.
- (f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-931. Determination of instant prize winners. An instant prize winner is determined for this instant (continued)

game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three of six dollar amount game which includes a "STAR" wild symbol feature, a "DOUBLER" feature, and a "DOUBLE DOUBLER" feature. If three of the six concealed prize amounts match or two like amounts plus a "STAR" symbol are visible, the player wins the amount shown if the "YOUR PRIZE LEVEL" box shows "SINGLE PRIZE." If "YOUR PRIZE LEVEL" box shows "DOUBLE PRIZE," the player wins double the prize amount. If the "YOUR PRIZE" box shows "DOUBLE DOUBLER," the player wins four times the prize amount. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

Get	Win
3-\$1's (single prize)	One Dollar
3-\$2's (single prize)	Two Dollars
3-\$1's (double prize)	Two Dollars
3-\$1's (double doubler)	Four Dollars
3-\$5's (single prize)	Five Dollars
3-\$5's (double prize)	Ten Dollars
3-\$5's (double doubler)	Twenty Dollars
3-\$40's (single prize)	Forty Dollars
3-\$20's (double prize)	Forty Dollars
3-\$20's (double doubler)	Eighty Dollars
3-\$2,500's (single prize)	Two Thousand Five Hundred dollars
3-\$2,500's (double prize)	Five Thousand Dollars
3-\$5,000's (single prize)	Five Thousand Dollars

(Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i) and K.S.A. 74-8720(b) and (d); effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-932. Number and value of instant prizes. (a) There will be approximately 2,400,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Prize Amount	Expected Number of Prizes in Game	Expected Value in Game
3-\$1's (single prize)	\$1	184,000	\$ 184,000
3-\$2's (single prize)	\$2	32,000	64.000
3-\$1's (double prize)	\$2	64,000	128,000
3-\$1's (double doubler)	\$4	24,000	96,000
3-\$5's (single prize)	\$ 5	40,000	200,000
3-\$5's (double prize)	\$10	24,000	240,000
3-\$5's (double doubler)	\$20	16,000	320,000
3-\$40's (single prize)	\$40	1,200	48,000
3-\$20's (double prize)	\$40	1.200	48,000
3-\$20's (double doubler)	\$80	120	9,600
3-\$2,500's (single prize)	\$2,500	2	5,000
3-\$2,500's (double prize)	\$5,000	<u>-</u>	30,000
3-\$5,000's (single prize)	\$5,000	4	20,000
		386,532	\$1,392,600

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 6.21.
- (c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f)

and K.S.A. 74-8720; effective, T-111-10-21-96, Oct. 18, 1996.)

RULES FOR INSTANT GAME NO. 75 "\$10,000 MATCH"

111-4-933. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "\$10,000 Match" commencing on or after October 21, 1996. The specific rules for the "\$10,000 Match" game are contained in K.A.R. 111-3-1 et seq. and 111-4-933 through 111-4-936. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-934. Definitions. The following definitions shall apply to the "\$10,000 Match" instant lottery game:

- (a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI Symbol font with matching captions in WGI Cap font. A game symbol appears in each of the eight play spots within the play area. Each game symbol for this instant game is one of the following: \$1.00 \$2.00 \$5.00 10.00 20.00 40.00 \$5000 10000.
- (b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Sym	bol Ga	me Symbol Caption
\$1.00		ONE\$
\$2.00		TWO\$
\$5.00		FIVE\$
10.00		TEN\$
20.00		TWENTY
40.00		FORTY
\$5000		FIVETHOU
10000		10-THOU

- (c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the top six game symbols under the latex covering in the play area on the front of each instant ticket.
- (d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket above the information form and below the bar code.
- (e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of eight varying locations among the game symbols. The codes and

their meanings are as follows: ONE - \$1.00; TWO - \$2.00; FIV - \$5.00; TEN - \$10.00; TWY - \$20.00; FRY - \$40.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-935. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the eight game symbols and captions. This is a match three of eight game. If three of the eight concealed prize amounts match, the player wins the amount shown. No ticket will be eligible to win more than one prize. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i) and K.S.A. 74-8720(b) and (d); effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-936. Number and value of instant prizes. (a) There will be approximately 2,400,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game		
\$1	208,000	\$ 208,000		
\$2	140,000	280,000		
\$ 5	72,000	360,000		
\$10	24,000	240,000		
\$20	8,000	160,000		
\$40	1,800	72,000		
\$5,000	3	15,000		
\$10,000	6	60,000		
	453,809	\$1,395,000		

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.29
- (c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f) and K.S.A. 74-8720; effective, T-111-10-21-96, Oct. 18, 1996.)

RULES FOR INSTANT GAME NO. 76 "BONUS INSTANT KENO"

111-4-937. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Bonus Instant Keno" commencing on or after October 21, 1996. The specific rules for the "Bonus Instant Keno" game are contained in K.A.R. 111-3-1 et seq. and 111-4-937 through 111-4-941. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-938. Definitions. The following definitions shall apply to the "Bonus Instant Keno" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols for the

"Keno Board" are printed in black ink in 10 point WGI font, as are the game symbols for the "1-Spot Game," the "2-Spot Game," the "3-Spot Game," the "4-Spot Game," the "6-Spot Game" and the "10-Spot Game." One game symbol appears within the play area of the "1-Spot Game," two game symbols appear within the play area of the "2-Spot Game," three game symbols in the play area of the "3-Spot Game," four game symbols in the play area of the "4-Spot Game," six game symbols in the play area of the "6-Spot Game," and 10 game symbols in the play area of the "10-Spot Game." Each game symbol for this instant game is one of the following whether it appears on the "Keno Board," the "1-Spot Game," the "2-Spot Game," the "3-Spot Game," the "4-Spot Game," the "6-Spot Game" or the "10-Spot Game."

01	02	03	04	05	06	07	08	09	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	. 57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80

(b) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the removable covering in the play area on the front of each instant ticket.

(c) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the back of each instant game ticket above the player's name and address information and below the bar code.

(d) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of 22 locations at either end of the game symbols on the "Keno board." The codes and their meanings are as follows: TWO = \$2.00; FIV = \$5.00; SEV = \$7.00; TEN = \$10.00; FIN = \$15.00; TWY = \$20.00; TWF = \$25.00; FIY = \$50.00; HUN = \$100.00; HFY = \$150.00; FHN = \$500.00.

(e) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-939. Cost of ticket. The price of "Bonus Instant Keno" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-940. Determination of instant prize winners. This game is played similarly to the traditional "1-Spot," "2-Spot," "3-Spot," "4-Spot," "6-Spot" and "10-Spot" (continued)

"Keno" games. The player removes the scratch-off material on the area of the ticket indicated as the "Keno Board" to reveal 20 numbers, plus four bonus numbers. The player then checks to see if any of the numbers on the "Keno Board" match the number combinations on any of the six games. If the player matches one on the "1-Spot Game," two on the "2-Spot Game," three on the "3-Spot Game," four on the "4-Spot Game," six on the "6-Spot Game," and 10 on the "10-Spot Game," the player wins the maximum prize amount accompanying that game. Players can win up to six times on this ticket, but can win only once on each of the six games. Prizes a player can win are as follows:

1-Spot Game		
Match	e jé	Prize
1 of 1	\$	5.00
2-Spot Game		
Match		Prize
2 of 2	\$	5.00
1 of 2	\$	2.00
3-Spot Game		
Match		Prize
3 of 3	\$	10.00
2 of 3	\$	5.00
4-Spot Game	4	
Match		Prize
4 of 4	\$	50.00
3 of 4	\$ \$	20.00
2 of 4	\$	10.00
6-Spot Game	3.3	
Match		Prize
6 of 6	\$	1,000.00
5 of 6	A \$ 1	500.00
4 of 6	\$	100.00
3 of 6	\$	10.00
10-Spot Game		
Match		Prize
10 of 10	\$20	0,000.00
9 of 10		5,000.00
8 of 10	\$	500.00
7 of 10	\$	100.00
6 of 10	\$	10.00
5 of 10	\$	5.00

(Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i) and 74-8720(b) and (d); effective, T-111-10-21-96, Oct. 18, 1996.)

111-4-941. Number and value of instant prizes. (a) There will be approximately 1,200,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prize Prizes Amount	Expected Number of Prizes in Game	Expected Value in Game
**************************************	158,000	\$316,000
\$5 (Game 1) \$5	14,300	71,500
\$5 (Game 2) \$5	14,800	74,000
\$5 (Game 3) \$5	17,200	86,000
\$5 (Game 6) \$5	20,000	100,000
\$2 (Game 2) + \$5 (Game 3) \$7	12,000	84,000
\$10 (Game 3) \$10	2,400	24,000

	V 21		to discuss the
\$10 (Game 4)	\$10	2,200	22,000
\$10 (Game 5)	\$10	1,800	18,000
\$10 (Game 6)	\$10	1,700	17,000
\$5 (Game 1) + \$5 (Game 2)	\$10	1,600	16,000
\$5 (Game 2) + \$10 (Game 3)	\$15	2,400	36,000
\$5 (Game 1) + \$5 (Game 3) + \$5		三 电子操簧	
(Game 6)	\$15	5,600	84,000
\$20	\$20	4,800	96,000
\$10 (Game 3) = \$10 (Game 4)	\$25	3,200	64,000
\$5 (Game 1) + \$10 (Game 3) + \$10			
(Game 4)	\$25	1,200	30,000
\$5 (Game 2) + \$10 (Game 5) + \$10			
(Game 6)	\$25	800	20,000
\$5 (Game 2) + \$10 (Game 3) + \$10	6.情日送6日		
(Game 4)	\$25	800	20,000
\$5 (Game 1) + \$20 (Game 4)	\$25	760	19,000
\$20 (Game 4) + \$5 (Game 6)	\$50	800	20,000
\$50	\$50	300	15,000
\$10 (Game 3) + \$20 (Game 4) + \$10	e de Village		
(Game 5) + \$10 (Game 6)	\$50	120	6,000
\$5 (Gm. 1) + \$5 (Gm. 2) + \$20			51. 기본 경찰
(Gm. 4) + \$10 (Gm. 5) + \$10			
(Gm. 6)	\$50	100	5,000
\$5 (Gm. 1) + \$5 (Gm. 2) + \$10			
(Gm. 3) + \$10 (Gm. 4) + \$10			· 其一种 有一种
(Gm. 5) + \$10 (Gm. 6)	\$50	180	9,000
\$100 (Game 5)	\$100	40	4,000
\$100 (Game 6)	\$100	40	4,000
\$100 (Game 5) + \$50	\$150	100	15,000
\$500 (Game 5)	\$500	12	6,000
\$500 (Game 6)	\$500	12	6,000
\$1,000	\$1,000	8	8,000
\$1,000 + \$500 (Game 6)	\$1,500	8	12,000
\$5,000	\$5,000	8	40,000
\$20,000	\$20,000	4	80,000
	Total	267,293	\$1,447,500
			

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The overall odds of winning a prize in this game are one in 4.49.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f) and K.S.A. 74-8720; effective, T-111-10-21-96, Oct. 18, 1996.)

Article 6.—ON-LINE GENERIC

111-6-20. Cancellation of tickets. (a) On all on-line games other than those games conducted by the "Multi-State Lottery Association" a single game or consecutive game ticket may be cancelled provided it is cancelled prior to the drawing at the same terminal from which it was purchased and on the same day the ticket was produced. Neither exchange tickets nor tickets originating or resulting from an on-line game or retailer promotion can be cancelled. The cancelled ticket, along with the terminal issued cancellation slip, must be remitted by the retailer to the lottery.

(b) An exchange ticket cannot be cancelled and is not eligible for problem ticket credit. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-3-3-94, Feb. 25, 1994; amended, T-111-10-21-96, Oct. 18, 1996.)

Gregory P. Ziemak Executive Director

INDEX TO ADMINISTRATIVE REGULATIONS

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111-4-414	Amended	V. 11, p. 1150	111-4-624	· · · / / .		111-5-19	Revoked	V. 15, p. 291
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through			111-4-640	Amended	V. 13, p. 1922	through 111-5-33	New	V. 11, p. 415-418
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